

REMARKS

This is intended as a full and complete response to the Office Action dated November 8, 2004, having a shortened statutory period for response set to expire on February 8, 2005. Applicant has made amendments to the specification to more clearly recite the invention. Claims 1-3, 6, 8, 9, 11, and 18-23 have been amended to more clearly recite the invention. The Applicant avers that no new matter has been introduced in this response.

Claims 1-26 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over co-pending Application No. 10/417,045 in view of U.S. Patent No. 3,868,835 (Todd-Reeve).

Applicant disclaims the terminal portion of this Application (10/822,461) to obviate the judicially created double patenting rejection in this Application. A check including the amount of \$65 as set forth in 37 CFR 1.20(d) is enclosed. An affidavit disclaiming the terminal portion of this Application is attached.

Claim 23 stands rejected under 35 U.S.C. 102(b) as being anticipated by Todd-Reeve. Examiner asserts that Todd-Reeve discloses a garment processing apparatus at column 4, lines 9-24, in which air is blown into the compartment and onto the clothes through an upper spray bar.

Todd-Reeve teaches that the upper spray bar, referred to by Examiner, rotates in place above the garments and is incapable of traversing the length of the garments. Applicant has amended claim 23 to include the element of "blowing air simultaneously onto both sides of the garments" and the element of a "manifold configured to traverse the length of the garments at least one time while blowing the air onto the garments". Todd-Reeve does not teach, show, or suggest a method of processing garments, that includes blowing air simultaneously onto both sides of garments in a cabinet from a manifold configured to traverse the length of the garments at least one time while blowing the air onto the garments. (emphasis added) Therefore, the Applicant submits that the rejection has been obviated and respectfully requests that the rejection be withdrawn and claim 23 be allowed.

Claims 1-4, 10-12, 17-19 and claim 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Todd-Reeve in view of U.S. Patent No. 4,646,769 (O'Brien). The Examiner states that Todd-Reeve discloses a cabinet configured to support a plurality of garments for cleaning and drying garments. The Examiner states that Todd-Reeve teaches rotating water sprayers (12,13), a sump (28) which acts as a water source, a fan (45) which moves air about the compartment, an air heater (49) and a passage (47) that can serve as a condenser duct (see column 4, lines 17-18). The examiner states that the reference also discloses at column 4, lines 9-24, that air may be either recirculated through the apparatus or discharged directly. The examiner takes this to mean that Todd-Reeve includes an exhaust port and that the blower and condenser are between its sprayers and the exhaust. The Examiner states that Todd-Reeve teaches and implies methods of using the cabinet to clean garments.

The Examiner acknowledges that Todd-Reeve does not teach a manifold with a plurality of arms that are capable of traversing the length of the clothes, its manner of attachment/articulation, or its method of use. The Examiner states that O'Brien discloses a cleaning tool that includes a manifold. The Examiner states that O'Brien teaches a manifold made up of hoses and a pumping apparatus. The Examiner states that O'Brien does not show the manifold in the Figures but discloses the manifold having a number of arms as disclosed in Column 3, lines 48-50. The Examiner states that O'Brien teaches the arms include a number of openings (32a, 32b, 34b, etc.) of various types, including both nozzles and holes. The Examiner states that O'Brien teaches the arms are configured to be raised and lowered between vertical oriented substrates to traverse the height of the substrates as shown in Figure 2. The Examiner states that O'Brien discloses methods of cleaning vertically oriented substrates by traversing their lengths with the manifold arms. The Examiner states that O'Brien and Todd-Reeve are both in the cleaning field of endeavor and both disclose cleaning vertically suspended substrates.

The Examiner asserts that it would have been obvious to provide the cabinet of Todd-Reeve having a plurality of arms capable of traversing the height of the clothing cabinet as disclosed in O'Brien in order to realize the advantages of close range direct application of fluids and vapors to the entire surface of the garments to be cleaned.

Examiner states that with respect to the recitation that the arms of the manifold are "configured to discharge air," no particular structure is recited or implied. Examiner gives that language little weight. Examiner states that both Todd-Reeve and O'Brien disclose manifolds configured to discharge fluid and Examiner takes the position that a fluid discharge nozzle or orifice is also configured to discharge air.

The Examiner further asserts that in view of both Todd-Reeve and O'Brien, it would have been obvious to traverse the garments while discharging the air so as to effect a complete and thorough treatment with air.

The Examiner asserts that with respect to means-plus-function claims 18 and 19, the disclosures of Todd-Reeve and O'Brien read on the structures disclosed in the specification that perform the recited functions. Examiner asserts that in the alternative the structures disclosed in the references are equivalent to those set forth in the specification.

Examiner asserts that with respect to claim 24, the combination of Todd-Reeve and O'Brien renders obvious the task of traversing the length of the garments while blowing air onto the garments.

The Applicant respectfully traverses the rejection. Todd-Reeve teaches a washing machine in which clothes are adapted to be vertically hung for washing, rinsing, and drying using upper and lower rotating spray bars. The upper and lower rotating spray bars are configured to operate alternately. The rotating upper spray bar is positioned above the clothes being cleaned and provides a downward spray. The rotating lower spray bar is positioned below the clothes being cleaned and provides an upward spray to the clothes. Todd-Reeve teaches a fluid distribution system that incorporates alternating fluid flow. A fluid flow is used to self-propel the rotation of the rotating upper and lower spray bars via tangentially extending spray jets. A pump is used to provide the fluid to the rotating upper spray bar or the lower spray bar, but not to both simultaneously. Todd-Reeve teaches away from simultaneous operation to reduce the pump drive power and avoid the loss of energy due to possible interference between the upper and bottom sprays meeting when operating simultaneously. Each of the rotating spray bars are mounted for rotation about a vertical axis. The rotation of the

spray bars is used to agitate the clothing being cleaned. Todd-Reeve discloses a wired guard to separate the rotating lower spray bar from the clothing. It is clear from the teaching of Todd-Reeve that the upper and lower rotating spray bars must be clear of the clothing in order to freely rotate and therefore cannot be moved vertically within the cabinet adjacent the clothing without risking damage to the clothing and/or loss of rotation ability due to the interference of the clothing (See Abstract, Figures 1-3, col. 1 lines 34-46, lines 60-68, col. 2, lines 1-16, col. 3, lines 15-21, lines 45-55, col. 4, lines 9-15, lines 32-35, lines 40-47, and col. 5, lines 1-10, lines 23-25, and lines 44-48).

O'Brien discloses a cleaning tool used to remove deposits from precipitator plates and adjacent wires used in electrical power plants and the like. The cleaning tool is movably suspended between adjacent pairs of the precipitator plates on a pair of cables. The precipitator plates are rigid and in fixed positions. The cleaning tool is coupled to high-pressure fluid source. The cleaning tool includes multiple arms, each having a single nozzle assembly at its end, the arms and nozzle assemblies are oppositely disposed and coupled to a high-pressure fluid source. The oppositely disposed nozzle assemblies under fluid pressure from the high-pressure fluid source provide high-pressure streams of fluid, such as water, in opposite directions that are configured to flow against the adjacent precipitator plates to physically dislodge and remove deposits therefrom. O'Brien discloses the multiple jets of fluid that are delivered simultaneously and are positioned to spray in opposite directions (e.g., 180 degrees apart) horizontally against the precipitator plates to generate a balanced force. The balanced force is required to insure the horizontal and vertical stability of the cleaning tool as it is positioned between the precipitator plates. To generate the balanced force, O'Brien requires stationary and/or stable surfaces for the multiple of jets of fluid to impinge thereon. It is clear from the teaching of O'Brien that the multiple jets of fluid are not used to provide stability of the precipitator plates, but rely on the stability of the precipitator plate surfaces to keep the cleaning tool positioned therebetween. O'Brien discloses that the cleaning tool must be placed between adjacent precipitator plates to clean them and does not disclose cleaning the precipitator plates from above or from below. O'Brien does not teach or suggest placing precipitator plates between adjacent cleaning tools or simultaneously applying steam or air to both sides of the same

precipitator plate. Moreover, it is clear from the teaching of O'Brien that the multiple arms are not configured for placing precipitator plates between adjacent arms and simultaneously applying steam or air to both sides of the same precipitator plate (See Abstract, Figure 2 and Figure 3, col. 1, lines 6-24, col. 2, lines 1-47, col. 3, lines 7-8, lines 34-46, col. 4, lines 20-25, lines 40-49, lines 67-68, col. 5, lines 25-39, and col. 6, lines 25-29).

Todd-Reeve teaches a rotating sprayer that sprays from the top and bottom of the cabinet were the spray jets are used to rotate the spray bars. O'Brien teaches a spray bar that uses the spray jets to center and balance the spray bar between two plates that are stable and heavy enough to allow the spray bar to be positioned therebetween when cleaning. Therefore, O'Brien does not teach what Todd-Reeve lacks, which is the ability for the spray bars to vertically move within the cabinet. It is apparent that if the spray bars of Todd-Reeve are allowed to do so, it would make Todd-Reeve inoperative. Alternately, Todd-Reeve does not teach what O'Brien lacks which is the ability to provide sprays of steam or air toward the items being cleaned at a downward direction or and upward direction as O'Brien requires opposing forces to provide the cleaning tool with stability. Todd-Reeve teaches rotation for proper operation. Further, Todd-Reeve teaches alternate operation of the fluid sprays for proper operation, whereas O'Brien requires simultaneous operation of the opposed jet sprays. Thus, there is no suggestion by either reference that they be combined, as there is no suggestion that in doing so would be advantageous and could make them inoperative.

Todd-Reeve and O'Brien alone or in combination do not teach, show, or suggest a garment processing apparatus, that includes a manifold having a plurality of arms, where each of the arms is configured to discharge air and a cabinet configured to enclose the plurality of arms, where the cabinet is capable of supporting one or more garments suspended therein. Todd-Reeve and O'Brien alone or in combination do not teach, show, or suggest a condenser configured to remove water from the air that has been discharged from the manifold, wherein at least some of the plurality of arms form at least one pair of adjacent arms that are configured to receive a garment suspended vertically therebetween, and where the one or more pairs of adjacent arms are

configured to extend horizontally across the garment suspended therebetween to allow the air to be simultaneously discharged toward both sides of the garment disposed proximate thereto, as recited in claims 1-4 and 10.

Todd-Reeve and O'Brien alone or in combination do not teach, show, or suggest a garment processing apparatus, that includes an air pump, a cabinet having a hanging bar from which one or more garments may be vertically supported, and an air outlet where a condenser is disposed between the air outlet of the cabinet and the air pump. Todd-Reeve and O'Brien alone or in combination do not teach, show, or suggest a manifold coupled to the air pump, where the manifold has a plurality of horizontal arms each having a plurality of exits, and at least two adjacent arms of the plurality of horizontal arms form a pair of arms, where the pair of arms are configured to receive one of the garments vertically disposed therebetween, and where the arms are configured to discharge air through one or more of the exits disposed adjacent the one garment, with the air being discharged simultaneously toward both sides of the one garment as recited in claims 11, 12, and 17.

Todd-Reeve and O'Brien alone or in combination do not teach, show, or suggest a garment processing apparatus that includes a means for supporting one or more garments, a means for blowing air onto both sides of each of the garments from a manifold that traverses the length of the garments at least one time, a means for recirculating the air blown onto each of the garments back to the manifold, and a means for removing water from the recirculated air, as recited in claims 18 and 19.

Todd-Reeve and O'Brien alone or in combination do not teach, show, or suggest a method of processing garments, that includes supporting one or more garments in a cabinet, blowing air simultaneously onto both sides of the garments in the cabinet from a manifold configured to traverse the length of the garments at least one time while blowing the air onto the garments, recirculating the air blown onto each of the garments back to the manifold, removing water from the recirculated air, and traversing the length of the garments at least one time while blowing the air onto the garments, as recited in claim 24. Therefore, the Applicant submits that the rejection has been obviated and respectfully requests that the rejection be withdrawn and claims 1-4, 10-12, 17-19 and 24 be allowed.

Claims 5-9, 13-16, 20-22, and 25-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,868,835 (Todd-Reeve) in view of U.S. Patent No. 4,646,769 (Hereinafter O'Brien), as applied to claims 1-4, 10-12, 17-19, and 24, and further in view of U.S. Patent No. 5,305,484 (Hereinafter "Fitzpatrick"). Examiner acknowledges that neither Todd-Reeve nor O'Brien et al. discloses a steam generator, the arrangement of the steam generator, a reservoir adapted to hold a chemical agent or a pump to inject the chemical agent into the air. Examiner asserts that it would have been obvious to provide the combined apparatus of Todd-Reeve and O'Brien et al. with a steam generator as suggested in Fitzpatrick. Examiner asserts that it would have been obvious to provide the combined apparatus of Todd-Reeve and O'Brien et al. with a reservoir for a chemical agent in order to provide fragrance or additional chemical treatment of the clothes, as suggested in Fitzpatrick.

The Applicant respectfully traverses the rejection. As discussed above, Applicant submits that the rejection of claims 1-4 has been obviated with respect to Todd Reeve and O'Brien. Since claims 5-9 depend from claims 1 & 4, Applicant respectfully requests that the rejection of claims 5-9, be withdrawn and that claims 5-9 be allowed.

As discussed above, Applicant submits that the rejection of claims 10-12 has been obviated with respect to Todd Reeve and O'Brien. Since claims 13-16 depend from claims 11 & 12, Applicant respectfully requests that the rejection of claims 13-16, be withdrawn and that claims 13-16 be allowed.

Applicant incorporates the discussion of Todd-Reeve and O'Brien above. Todd-Reeve, O'Brien and Fitzpatrick alone or in combination do not teach, show, or suggest a garment processing apparatus, that includes a manifold having a plurality of arms where each of the arms is configured to discharge air in a cabinet that is configured to support one or more garments with each of the garments positioned between a different pair of adjacent arms; and a steam generator configured to inject stream into the air discharged by the manifold wherein the manifold is further configured to traverse the length of the one or more garments at least one time while discharging the air, as recited in claim 20.

Applicant incorporates the discussion of Todd-Reeve and O'Brien above. Todd-Reeve, O'Brien and Fitzpatrick alone or in combination do not teach, show, or suggest a garment processing apparatus, that includes a manifold having a plurality of arms, where each of the arms is configured to discharge air; where the manifold is in a cabinet that is configured to support one or more garments with each of the garments positioned between a different pair of adjacent arms; and a reservoir that is configured to hold a chemical agent; and a pump that is configured to inject the chemical agent from the reservoir into the air discharged from the manifold wherein the manifold is further configured to traverse the length of the one or more garments at least one time while discharging the air as recited in claim 21.

Applicant incorporates the discussion of Todd-Reeve and O'Brien above. Todd-Reeve, O'Brien and Fitzpatrick alone or in combination do not teach, show, or suggest a garment processing apparatus, that includes a manifold having a plurality of arms, where each of the arms is configured to discharge water; and a cabinet configured to support one or more garments where each of the garments is positioned between a different pair of adjacent arms; and a reservoir that is configured to hold a chemical agent; and a pump that is configured to inject the chemical agent from the reservoir into the water being discharged from the manifold, wherein the manifold is further configured to traverse the length of the one or more garments at least one time while discharging the water, as recited in claim 22.

Applicant incorporates the discussion of Todd-Reeve and O'Brien above. Todd-Reeve, O'Brien and Fitzpatrick alone or in combination do not teach, show, or suggest a method of processing garments, that includes supporting one or more garments in a cabinet; blowing air simultaneously onto both sides of the garments in the cabinet from a manifold configured to traverse the length of the garments at least one time while blowing the air onto the garments; recirculating the air blown onto each of the garments back to the manifold; removing water from the recirculated air and injecting steam into the air blown onto the garments as recited in claim 25.

Applicant incorporates the discussion of Todd-Reeve and O'Brien above. Todd-Reeve, O'Brien and Fitzpatrick alone or in combination do not teach, show, or suggest a method of processing garments, that includes supporting one or more garments in a

cabinet; blowing air simultaneously onto both sides of the garments in the cabinet from a manifold configured to traverse the length of the garments at least one time while blowing the air onto the garments; recirculating the air blown onto each of the garments back to the manifold; removing water from the recirculated air and injecting a chemical agent into the air blown onto the garments as recited in claim 26.

Therefore, the Applicant submits that the rejection has been obviated and respectfully requests that the rejection be withdrawn and claims 20-22 and 25-26 be allowed.

The Federal Circuit recently reemphasized that the U.S. Patent and Trademark Office bears the burden of establishing a case of *prima facie* obviousness in *In Re Dembicza*k, 50 USPQ2d 1614 (Fed. Cir. 1999). *In Re Dembicza*k requires the Examiner to particularly identify any suggestion, teaching, or motivation to combine or modify references. The mere recitation by the Examiner that it would be obvious to one of ordinary skill in the art to modify references does not amount to particularly identifying a suggestion or motivation to combine or modify the references. The Examiner has not particularly identified any suggestion, teaching, or motivation to modify the references, therefore, the Examiner has not established a *prima facie* showing of obviousness.

In conclusion, having addressed all issues set out in the office action, the Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

The prior art made of record is noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, it is believed that a detailed discussion of the secondary references is not deemed necessary for a full and complete response to this office action. Accordingly, allowance of the claims is respectfully requested.

Respectfully submitted,

/ron rohde/
Ronald Rohde
Registration No. 45050
20 Descanso Drive, Suite 1215
San Jose, CA 95134
Telephone: (408) 955-0705

Attorney for Applicant(s)